UNITED
NATIONS

S

Security Council

Distr.
GENERAL

S/1995/681
10 August 1995

ORIGINAL: ENGLISH

LETTER DATED 9 AUGUST 1995 FROM THE CHARGE D'AFFAIRES A.I. OF THE PERMANENT MISSION OF YUGOSLAVIA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

Upon instructions, I am writing to express the utmost astonishment and disappointment of the Government of the Federal Republic of Yugoslavia in view of the fact that the Security Council has still not convened an emergency meeting to adopt a resolution to condemn the brutal Croatian aggression as was requested by my Government. Exactly such lenient attitude and inaction by the Security Council, which has not been the case when the Serbs were condemned, was a direct encouragement to the Croatian military aggression against Krajina and even against neighbouring Bosnia. Such attitude made it possible that the aggression, crimes and widespread destruction go totally unpunished.

The Security Council must demand that Croatia's aggression be condemned in the strongest terms, that it be immediately stopped and that the Croatian army withdraw to the positions prior to the offensive. Croatia must be condemned for the war crimes committed against the civilian population, the prisoners of war, the members of the United Nations force and for the overwhelming humanitarian catastrophe caused by its aggression.

The Government of the Federal Republic of Yugoslavia is particularly disturbed by the vast human tragedy that unfolds and the plight of the civilian population, which has been exposed to torture while Serbian soldiers and civilians have been massacred. Furthermore, there were repeated instances of killing and shelling of groups of refugees fleeing the region. Serb soldiers as well as civilians and United Nations peace-keepers were used as human shields by the Croatian army. Serbian property was plundered and representatives of the United Nations and humanitarian organizations were denied access to the territories occupied by the Croats. Flagrant violations and disrespect of the basic principles of international humanitarian law, human rights and principles of international law in times of war, occurred. The Croatian army committed atrocious crimes on an unseen scale against Serbian prisoners and civilians, particularly in the region of Topusko where civilians and soldiers were trapped and many of them were gunned down by the Croatian forces.

The mass murders of civilians and atrocities committed against them were performed in a systematic and planned fashion. This is the largest single "ethnic cleansing" committed ever since the outbreak of hostilities in the previous Yugoslavia. In a monstrous manner, the Croatian army has murdered, pillaged and expelled the Serbian people from their ancestral homes in Krajina.

The Croatian aggression sparked a horrible exodus of more than 200,000 refugees, who began to flee in all directions. It is therefore quite clear that what is at stake is not the reintegration of Krajina and the Serb population into the constitutional order of Croatia as the Croatian regime would like to make the world believe, but the illegal seizure of territory cleansed of Serbs using the "scorched earth" tactic.

It should be recalled that the Croatian army in January 1993 began the first aggression on the United Nations Protected Areas in Krajina in the so-called "pink zones". The Croatian army took over the Peruca Dam and in a violent offensive in July 1993 gained control of the Maslenica gorge. The very weak and inefficient reaction of the Security Council after these aggressive acts encouraged the Croatian authorities to undertake much more serious military action. The Croatian army committed genocide, war crimes and the crimes against humanity when in September 1993 it mercilessly attacked the region of Medak Pocket murdering scores of civilians and torching Serbian villages. The Croatian army committed new crimes, including massive ethnic cleansing, when on 1 May 1995 it overran Western Slavonia. On that occasion fleeing columns of refugees were shot at and the number of casualties has never been established.

All this has been in the cruelest of ways repeated in the past few days during Croatia's aggression against Krajina, which resulted in terrible crimes and general tragedy for the Serb people.

By such actions, the Croatian Government is continuing the policies of the fascist quisling so-called "Independent State of Croatia" which during the Second World War had the goal of totally exterminating the Serb people through murder, mass expulsion, conversion to Catholicism and Croatization. It is quite certain that Croatia will, if the international community and especially the Security Council allow it to do so, continue with the realization of this policy until its long-term objectives are fulfilled.

The acts of the Croatian authorities are crimes of genocide, war crimes and crimes against humanity and represent systematic violations of human rights on a large-scale. They are concurrently a threat to international peace and security and run counter to the Charter of the United Nations and other relevant international instruments.

It should be pointed out in particular that the facts and details on the brutal Croatian aggression on Krajina are contained in the reports of the United Nations peace-keepers in the field, in which mass destruction of civilian objects, murder and mistreatment of Serb civilians, prisoners of war and United Nations peace-keepers were rampant. Adding to this, there are many instances of Croatian attacks on United Nations observation points, the use of Serbian soldiers and members of the United Nations Confidence Restoration Operation (UNCRO) as human shields by Croatian forces, the pillaging of Serb property and

the blockade of the corridors for access and humanitarian supplies to the victims.

The events described above make it incumbent on the Security Council to determine the responsibility of Croatia, its leadership and above all the President, Franjo Tudjman, for genocide and war crimes against the Serb people as well as gross violations of humanitarian law (article VIII of the Convention on the Prevention and Punishment of the Crime of Genocide and the 1949 Geneva Conventions).

Particular responsibility rests with Croatia's leader, F. Tudjman, for which even one of the Co-Chairmen of the International Conference on the Former Yugoslavia, Mr. Karl Bildt, raised the possibility of being indicted as a war criminal.

The Government of the Federal Republic of Yugoslavia energetically demands that the Security Council initiate a procedure to identify, bring to trial and punish those responsible for the war crimes. The Security Council should also adopt a resolution that will force Croatia to respect the Charter of the United Nations and the relevant resolutions of the Security Council and impose sanctions for the violations of the basic norms of international humanitarian law. The Security Council should make Croatia abandon the policy of war and return to the political negotiations as the only way to resolve the crisis.

In view of the above, the Government of the Federal Republic of Yugoslavia once again demands that an extraordinary meeting of the Security Council be convened. The Yugoslav Government also demands the immediate halt of the aggression, the withdrawal of Croatian forces to the positions prior to the offensive and concrete punishment of Croatia, by imposing sanctions, under Chapter VII of the Charter, for the crimes it committed.

I should be grateful if you would have the present letter circulated as a document of the Security Council.

(Signed) Dragomir DJOKIC
Ambassador
Chargé d'affaires a.i.

---